

UNITED STATES DISTRICT COURT
for the

Northern District of New York

BEER BELLY, INC.

v.
BMT 1110, LLC, BMT 1110 REALTY, LLC, MICHAEL
VIGLUCCI, JR. and DOES 1 through 10, inclusive

Civil Action No. 1:16-CV-0506 (DNH/CFH)

Defendant

SUMMONS IN A CIVIL ACTION

To: *(Defendant's name and address)* BMT 1110 Realty, LLC
5 South Allen St.
Albany, New York 12208

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are: Paul T. Shippard, Esq.

Paul T. Sheppard, Esq.
Hinman, Howard & Kattell, LLP
P.O. Box 5250
80 Exchange Street
Binghamton, New York 13902-5250

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.


Laurence W. Baum
Clerk of Court



Date: 05/03/2016

s/ Helen M. Reese

Signature of Clerk or Deputy Clerk

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Civil Action No. 1:16-CV-0506 (DNH/CFH)**PROOF OF SERVICE***(This section should not be filed with the court unless required by Fed. R. Civ. P. 4 (l))*

This summons for *(name of individual and title, if any)*
was received by me on *(date)*

I personally served the summons on the individual at *(place)*
on *(date)* ; or

I left the summons at the individual's residence or usual place of abode with *(name)*,
a person of suitable age and discretion who resides there,
on *(date)* , and mailed a copy to the individual's last known address; or

I served the summons on *(name of individual)* , who is
designated by law to accept service of process on behalf of *(name of organization)*
on *(date)* ; or

I returned the summons unexecuted because

Other *(specify):*

My fees are \$ _____ for travel and \$ _____ for services, for a total of \$ 0.00 .

I declare under penalty of perjury that this information is true.

Date: _____

*Server's signature**Printed name and title**Server's address*

Additional information regarding attempted service, etc: